

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES, :
:
Plaintiff, : Case No. 2:20-CR-141
:
v. : JUDGE SARAH D. MORRISON
:
GEORGE SANCHEZ, :
:
Defendant. :
:

OPINION & ORDER

Defendant plead guilty to violating 18 U.S.C § § 922(g)(1) and § 924(a). (ECF No. 23.) In September 2021 he was sentenced to 51 months in prison to be followed by three years of supervised release. (ECF No. 38.)

Defendant now seeks compassionate or early release due to generalized COVID-19 concerns. (ECF Nos. 40, 42.) He claims he has diabetes, high blood pressure, diabetes and that he is obese such that he is at higher risk for complications should he contract the virus. *Id.* He has received the COVID-19 vaccine. (ECF No. 44-1.)

The Court **DENIES** Defendant's motion for two reasons. First, Defendant fails to supply the Court with medical records to establish that he has been diagnosed with his claimed conditions. *United States v. Elias*, 984 F.3d 516, 520 (6th Cir. 2021) (holding district court could have denied COVID-19 compassionate release motion for lack of medical records); *see also United States v. Schnabel*, No. 2:17-cr-169, 2020 U.S. Dist. LEXIS 115970, at *18 (S.D. Ohio July 1, 2020)

(Graham, J.) (denying compassionate release motion in part due to absence of medical records); *see also United States v. Dickson*, No. 1:19-cr-251-17, 2020 U.S. Dist. LEXIS 67742, at *10 (N.D. Ohio Apr. 17, 2020) (denying compassionate release motion based on COVID-19 fears for lack of medical records).

Second, “a generalized fear of contracting or re-contracting COVID-19 ‘cannot independently justify compassionate release.’” *United States v. Sexton*, No. 2:19-cr-192, 2021 U.S. Dist. LEXIS 7217, at *6 (S.D. Ohio Jan. 14, 2021) (Morrison, J.) (quoting *Elias*, 984 F.3d at 521) (citation omitted).

Defendant fails to establish extraordinary and compelling circumstances under 18 U.S.C. § 3582 warranting compassionate release. His motion is **DENIED**. (ECF Nos. 40, 42.)

IT IS SO ORDERED.

s/Sarah D. Morrison
SARAH D. MORRISON
UNITED STATES DISTRICT JUDGE